

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 1, 2, 4, 6, and 7 have been amended. No new claims have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-18 are pending and under consideration.

In the Office Action mailed May 4, 2004, the Examiner stated that the subject application discloses three patentably distinct species:

Species I (FIGS. 3, 4A, and 4B);

Species II (FIGS. 5A and 5B); and

Species III (FIGS. 6A and 6B).

**CLAIM/SPECIES ASSOCIATION**

Applicant respectfully submits that:

claims 1-2, 7, 10-11, and 18 are generic;

claims 3, 8-9, and 12-15 belong to both species I and II;

claim 4 belongs species I;

claim 5 belongs species II; and

claims 6, 16, and 17 belong to species III.

**I. Provisional Election of Claims Pursuant to 37 CFR §1.142**

Applicant provisionally elects species I in response to the preliminary restriction requirement set forth in the Office Action.

**II. Applicants Traverse the Requirement**

Insofar as Species II is concerned, it is believed that claim 5 is so closely related to elected claims 1-4, 7-15, and 18 that it should remain in the same application, particularly since claims 3, 8-9, and 12-15 belong to both species I and II. There have been no references cited to

show any necessity for requiring restriction, and in fact, it is believed that the Examiner would find references relating to at least species I and II, if not species III as well, in the same field of technology. It is believed, moreover, that evaluation of at least claims 1-5, 7-15, and 18 would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicant in having to protect the additional subject matter recited by the species II claim (claim 5) and the species III claims (claims 6, 16, and 17) by filing divisional applications.

Additionally, Species I, II and III claims show more specified embodiments based on claim 1 of the subject application. Further, the species I, II, and III share the same effect of the present invention, which is diminishing the volume of packaging.

Further, MPEP §803 sets forth the criteria for restriction between patentably distinct inventions. (A) indicates that the inventions must be independent (see MPEP §802.01, §806.04, §808.01) or distinct as claimed (see MPEP §806.05-806.05(i)); and (B) indicates that there must be a serious burden on the Examiner if restriction is required (see MPEP §803.02, §806.04(a)-§806.04(i), §808.01(a) and §808.02). The Examiner has not set forth why there would be a serious burden.

### III. Conclusion

Upon review of references involved in this field of technology, when considering that claims 1-2, 7, 10-11, and 18 are generic, and claims 3, 8-9, and 12-15 belong to both species I and II, and when all of the other various facts are taken into consideration, it is believed that upon reconsideration of the Examiner's initial restriction requirement, at least claims 1-5, 7-15, and 18, if not all of the pending claims, should be examined in the subject application.

In view of the foregoing amendments, arguments, and remarks, all claims are deemed to be allowable and this application is believed to be in condition for allowance.

If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 19-3935.

Should any questions remain unresolved, the Examiner is requested to telephone  
Applicant's attorney.

Respectfully submitted,

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